

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Rulemaking to implement the provisions of
Public Utilities Code § 761.3 enacted by Chapter
19 of the 2001-02 Second Extraordinary
Legislative Session.

Rulemaking 02-11-039
(Filed November 21, 2002)

**ADMINISTRATIVE LAW JUDGE'S RULING
PROVIDING NOTICE OF MEETINGS OF THE CALIFORNIA ELECTRICITY
GENERATION FACILITIES STANDARDS COMMITTEE**

This proceeding will develop rules and regulations to implement Pub.Util. Code § 761.3, which confirms the authority of the Commission to address electricity generation facility issues.

Among other things, Section 761.3¹ requires this Commission to implement and to enforce maintenance standards that will be adopted by the California Electricity Generation Facilities Standards Committee (Committee) and to provide the Committee with support. This ruling will establish procedures by which the Commission will fulfill its statutorily directed obligation of support and assist the Committee in meeting its obligations to provide notice and an opportunity for public comment.

¹ All statutory references are to the Public Utilities Code, unless otherwise noted.

A. The California Electricity Generation Facility Standards Committee (761.3(b))

Section 761.3(b) creates a 3-member California Electricity Generation Facilities Standards Committee (Committee) consisting of a member of this Commission, a member of CAISO Board, and a third member jointly selected by the two agencies. The Committee is directed to “adopt and may thereafter revise standards for the maintenance and operation of facilities for the generation of electric energy located in the state” It is to be supported by a “reasonable amount of staff time provided by the two agencies.” The Committee’s action is to be taken “after notice and an opportunity for public comment.”

**B. The Committee and the Commission—
Housekeeping Procedures**

As the Administrative Law Judge (ALJ) assigned to this rulemaking and charged with the task of providing support for the Committee, I will use both the Commission’s Daily Calendar and service list procedures to assist the Committee to meet its obligations to provide notice of its meeting under Government Code Section 11125 and to provide an opportunity for public comment. In particular, notices of the Committee meetings will appear as Workshop Notices in the Commission’s Daily Calendar, and will be noticed under this proceeding. The meetings of the Committee are scheduled for December 20, 2002 (which will address the agenda attached to this ruling), January 24, 2003 (which will review comments filed on the proposed maintenance standards), and February 3, 2003 (at which the Committee will adopt final standards). All meetings will take place at the California Public Utilities Commission at 505 Van Ness Avenue, San Francisco. The December 20, 2002 meeting will take place from 9 a.m. to 1 p.m. Additional agendas for subsequent meetings will be provided, consistent with Government Code Section 11125(a) and (b).

By or at the December 20, 2002 meeting, we plan to make publicly available the proposed maintenance standards. In particular, these will be posted on the Commission's web site (www.cpuc.ca.gov) and filed under this proceeding number (Rulemaking 02-11-039).

Respondents and parties may provide comments on these proposed maintenance standards. These comments are due on January 10, 2003, and reply comments on January 15, 2003. They shall be sent via e-mail to the Committee, as provided below, and to a temporary service list via e-mail. We plan to adopt a temporary "e-mail service list" after the December 20, 2002 meeting. Moreover, the e-mail list will appear as a "service list" for this proceeding as soon as possible following the December 20, 2002 Committee meeting, and it will remain in place until we establish a new service list at a prehearing conference following in this Rulemaking.

If you wish to appear on the preliminary "service list" for receipt of opening and reply comments, you should either attend the December 20, 2002 meeting where you should fill out a form that will be provided or, alternatively, send an e-mail to ALJ Sullivan at tjs@cpuc.ca.gov. The e-mail should include your return e-mail, your name, address, and phone number and, if applicable, the name of the group that you represent.

Therefore, **IT IS RULED** that:

1. The California Electricity Generation Facilities Standards Committee (Committee) will meet at the California Public Utilities Commission on December 20, 2002 from 9 a.m. to 1 p.m. The meeting agenda is attached as Appendix A. On behalf of the Committee, this ruling provides written notice and includes a specific agenda, consistent with the requirements of Government Code Section 11125(a) and (b).

2. The Committee will also meet at the California Public Utilities Commission on January 24, 2003 and February 3, 2003. Specific agendas for those meetings will be issued subsequently.

3. Notices of meetings of the Committee will appear on the Commission's Daily Calendar as Workshop Notices, and will be referenced using this proceeding number (Rulemaking (R.) 02-11-039). The calendar is available at the Commission's web site (www.cpuc.ca.gov).

4. Proposed maintenance standards will be made available by or at the December 20, 2002 meeting and subsequently posted on the Commission's web site, referenced under this proceeding number (R.02-11-039).

Opening comments on the proposed maintenance standards are due on January 10, 2003, and reply comments on January 15, 2003.

5. The comments shall be served via e-mail on the e-mail list established pursuant to paragraph 6 below.

6. At and following the December 20, 2002 meeting, we will establish a list of those to whom comments and replies shall be served. This list will appear as a temporary "service list" and available at the Commission's web site as soon as possible following the December 20 meeting. If anyone wishes to receive comments and replies and is not able to attend the December 20, 2002 meeting, he or she should send an e-mail to Administrative Law Judge Sullivan including a name, street address, phone number, e-mail address, and, if applicable, the name of the group represented. The e-mail is due by December 20, 2002.

Dated December 10, 2002, at San Francisco, California.

/s/ TIMOTHY J. SULLIVAN

Timothy J. Sullivan
Administrative Law Judge

Appendix A

California Electricity Generation Facilities Standards Committee

California Public Utilities Commission

Auditorium

505 Van Ness Avenue

San Francisco, CA 94102

December 20, 2002

9:00 a.m. to 1:00 p.m.

Agenda

Opening Remarks	Commissioner Carl Wood Michael Kahn Glenn Bjorkland
Presiding Officer Designation	Michael Kahn
Committee Staff Director Designation	Commissioner Carl Wood
Proposed Committee Meeting Dates/Agendas	Commissioner Carl Wood
- December 20, 2002	Present/Discuss ISO Draft
- January 24, 2003	Review Comments
- February 3, 2003	Adopt Final Standards
Approve Future Meetings Standard Agenda Format	Commissioner Carl Wood
Public Comment Session (3 minute/comment)	Commissioner Carl Wood
Presentation of Draft Maintenance Standards	Philip Pettingill
Procedure for Receiving Comments	ALJ Timothy Sullivan
Schedule for Adoption of Maintenance Standards	ALJ Timothy Sullivan
Explanation of Interaction of Committee Process and CPUC OIR	Commissioner Carl Wood
Adjournment	

(END OF APPENDIX A)

CERTIFICATE OF SERVICE

I certify that I have by mail, and by electronic mail, to the parties to which an electronic mail address has been provided, this day served a true copy of the original attached Administrative Law Judge's Ruling Providing Notice of Meetings of the California Electricity Generation Facilities Standards Committee on all parties of record in this proceeding or their attorneys of record.

Dated December 10, 2002, at San Francisco, California.

/s/ KE HUANG

Ke Huang

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to ensure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.